

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

MS. JANE DOE,)	
)	
Plaintiff,)	
)	Civil Action No. 3:24-147
v.)	Judge Nora Barry Fischer
)	Magistrate Judge Keith Pesto
L.J. ODDO, Facility Administrator at)	
Moshannon Valley, et al.,)	
)	
Defendants.)	

ORDER OF COURT

AND NOW, this 22nd day of January, 2025, upon consideration of the Memorandum Order filed by United States Magistrate Judge Keith Pesto on August 29, 2024, (Docket No. 3), denying Plaintiff's motion to proceed in forma pauperis and recommending that the Complaint be dismissed, without prejudice, for failure to prosecute, the separate Order of the same date administratively closing the case until a proper motion to proceed in forma pauperis is filed or the filing fee is paid, (Docket No. 4), and the Report and Recommendation of August 30, 2024, recommending that if the Plaintiff cures the defect by paying the filing fee or filing a proper motion to proceed in forma pauperis, that the action should be dismissed as duplicative of Civ. A. No. 3:24-cv-144-KT, (Docket No. 5), and directing that any objections be lodged within 14 days, and no action having been taken by Plaintiff as of the date of this Order such that no objections have been lodged, the filing fee has not been paid and an appropriate motion to proceed in forma pauperis has not been filed, this matter having been reassigned to the undersigned for prompt disposition of the matter, (Docket No. 8), and upon independent review of the record and de novo consideration of the Magistrate Judge's Report and Recommendation,

(Docket No. 5), which is ADOPTED as the opinion of this Court,

IT IS HEREBY ORDERED that Plaintiff's Motion to Proceed In Forma Pauperis [1] is DENIED and Plaintiff's Complaint (Docket No. 1-1) is DISMISSED, without prejudice, for failure to prosecute and as the matter is duplicative to Civ. A. No. 3:24-cv-144-KT;

IT IS FURTHER ORDERED that this case shall remain CLOSED; and,

FINALLY, IT IS ORDERED that pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, Plaintiff has thirty (30) days to file a notice of appeal as provided by Rule 3 of the Federal Rules of Appellate Procedure.

s/ Nora Barry Fischer

Nora Barry Fischer
Senior U.S. District Judge

cc/ecf: United States Magistrate Keith Pesto

cc: Gartor Brown
A#094-007-050
Krome North Processing Center
18201 SW 12th Street
Miami, FL 33194
(via first class mail)